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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/571,285	03/09/2006	Kenji Hayashi	1056-0134PUS1	8225

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EXAMINER	
BIANCHI, KRISTIN A	

ART UNIT	PAPER NUMBER
1626	

NOTIFICATION DATE	DELIVERY MODE
07/06/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

DETAILED ACTION

Response to Arguments/Remarks

Applicants' arguments/remarks filed on June 24, 2009 have been fully considered, but are not found to be persuasive because the crux of the arguments have already been addressed in the Final Office Action dated April 15, 2009. Applicants argue that "Crassier et al. describes 'The one-pot process gives better yields compared with the stepwise synthesis' (see page 7, lines 7-8). But this is merely stating the general principle that a one-pot synthesis generally gives better yields than a stepwise synthesis. But there are also synthesis reaction exceptions wherein a one-pot synthesis gives worse yields than a stepwise synthesis. As such, those skilled in the art would never know which method gives better yields without actually carrying out both syntheses (i.e., one-pot and stepwise). In this respect, Crassier et al. is an exception case as shown by way of the above calculations." This is not found to be persuasive because, as stated by the Applicants, a person of ordinary skill in the art would not know which method would result in a better yield without carrying out both syntheses, therefore, it would have been obvious to try both syntheses (i.e., one-pot and stepwise) and to arrive at the instant invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KRISTIN BIANCHI whose telephone number is (571)270-5232. The examiner can normally be reached on Mon-Fri 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on 571-272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kamal A Saeed/
Primary Examiner, Art Unit 1626

Kristin Bianchi
Examiner
Art Unit 1626

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